

DECLARATION OF CARMINE D. BOCCUZZI IN OPPOSITION TO PLAINTIFFS' MOTION TO CONFIRM THE EX PARTE ATTACHMENT ORDER CONCERNING THE INSITUTO NACIONAL DE TECNOLOGIA ARGOPECUARIA'S RICE GENE TECHNOLOGY AND IN SUPPORT OF MOTION TO VACATE

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AURELIUS CAPITAL MASTER, LTD. and ACP	:
MASTER, LTD.,	:
	09 Civ. 8757 (TPG)
Plaintiffs,	:
- against -	:
THE REPUBLIC OF ARGENTINA,	:
Defendant.	:
-----X	
AURELIUS CAPITAL MASTER, LTD. and ACP	:
MASTER, LTD.,	:
	09 Civ. 10620 (TPG)
Plaintiffs,	:
- against -	:
THE REPUBLIC OF ARGENTINA,	:
Defendant.	:
-----X	
AURELIUS OPPORTUNITIES FUND II, LLC and	:
AURELIUS CAPITAL MASTER, LTD.,	:
	10 Civ. 1602 (TPG)
Plaintiffs,	:
- against -	:
THE REPUBLIC OF ARGENTINA,	:
Defendant.	:
-----X	
AURELIUS OPPORTUNITIES FUND II, LLC and	:
AURELIUS CAPITAL MASTER, LTD.,	:
	10 Civ. 3507 (TPG)
Plaintiffs,	:
- against -	:
THE REPUBLIC OF ARGENTINA,	:
Defendant.	:
-----X	

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AURELIUS CAPITAL MASTER, LTD. and AURELIUS :
OPPORTUNITIES FUND II, LLC, : 10 Civ. 3970 (TPG)
Plaintiffs, :
- against - :
THE REPUBLIC OF ARGENTINA, :
Defendant. :
----- X

BLUE ANGEL CAPITAL I LLC, :
Plaintiff, : 10 Civ. 4101 (TPG)
- against - :
REPUBLIC OF ARGENTINA, :
Defendant. :
----- X

BLUE ANGEL CAPITAL I LLC, :
Plaintiff, : 10 Civ. 4782 (TPG)
- against - :
REPUBLIC OF ARGENTINA, :
Defendant. :
----- X

AURELIUS CAPITAL MASTER, LTD. and AURELIUS :
OPPORTUNITIES FUND II, LLC, : 10 Civ. 8339 (TPG)
Plaintiffs, :
- against - :
THE REPUBLIC OF ARGENTINA, :
Defendant. :
----- X

Pursuant to 28 U.S.C. § 1746, Carmine D. Boccuzzi declares as follows:

1. I am an attorney admitted to practice before this Court and a partner at Cleary Gottlieb Steen & Hamilton LLP, counsel for defendant the Republic of Argentina (the “Republic”) and interested non-party Instituto Nacional de Tecnología Agropecuaria (“INTA”) in this matter. I submit this declaration on behalf of the Republic and INTA in opposition to plaintiffs’ motion to confirm the ex parte attachment order of May 16, 2011, concerning the INTA’s rice gene technology, and in support of the motion to vacate.

2. Attached to this declaration as Exhibits A-J are true and correct copies of the following documents:


<u>Ex.</u>	<u>Document</u>
A	<i>Aurelius Capital Partners, LP and Aurelius Capital Master, Ltd. v. Republic of Argentina</i> , 07 Civ. 2715 (TPG), and related cases, INTA Attachment Order, dated May 16, 2011;
B	Argentine Civil Code, Sections 30-33 (excerpt);
C	Agustín Gordillo, <i>Treatise on Administrative Law</i> , Vol. I (10th ed. 2009) (excerpt);
D	Declaration of Carlos Alberto Paz, dated Oct. 30, 2008;
E	Decree-Law No. 21,680/56, as Amended, Oct. 4, 1961;
F	<i>Lightwater v. Republic of Argentina</i> , No. 02 Civ. 3805 (TPG), Apr. 1, 2009 Hr’g Tr. (excerpts);
G	<i>Seijas, et al. v. Republic of Argentina</i> , No. 04 Civ. 400 (TPG), Aug. 19, 2009 Order;
H	State of New York Public Service Commission, Order Concerning Gas Rates, Restructuring, Competition, and Other Issues (Apr. 22, 2002);
I	License Agreement, dated May 2, 2005/June 6, 2005;

Ex. Document

J Seed Commercialization and License Agreement, dated May 2, 2005/June 6, 2005.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 30, 2011, in New York, New York



Carmine D. Boccuzzi